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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

EBAY INC., Plaintiff, v. DIGITAL POINT SOLUTIONS, INC., SHAWN HOGAN, KESSLER'S FLYING CIRCUS, THUNDERWOOD HOLDINGS, INC., TODD DUNNING, DUNNING ENTERPRISE, INC., BRIAN DUNNING, BRIANDUNNING.COM, and DOES 1-20, Defendants.	Case No. C 08-04052 JF **[PROPOSED] ORDER DENYING DEFENDANTS' REQUESTS FOR JUDICIAL NOTICE** Hearing Date: December 12, 2008 Time: 9:00 a.m. Judge: Hon. Jeremy Fogel

Upon consideration of the Requests for Judicial Notice submitted by Defendants Todd Dunning and Dunning Enterprise, Inc.; Thunderwood Holdings, Inc., Brian Dunning and BrianDunning.com; Shawn Hogan and Digital Point Solutions, Inc.; and Kessler's Flying Circus, and eBay's Oppositions thereto, the Court hereby DENIES Defendants' requests for Judicial Notice.

IT IS SO ORDERED.

Dated: ______________________

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Honorable Jeremy Fogel
United States District Judge

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